

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING
COURTHOUSE ANNEX, COMMISSION MEETING ROOM
MARCH 3, 2020
9:00 AM
MINUTES**

Commissioners Present: Noah Lockley – Chairman, Ricky Jones-Vice-Chairman, Joseph Parrish, William Massey, Bert B. Boldt, II

Others Present: Marcia M. Johnson-Clerk of Court, Erin Griffith-Assistant Finance Director, Michael Moron-County Coordinator, Michael Shuler – County Attorney, Alan Pierce-RESTORE Coordinator, Lori P. Hines-Deputy Clerk to the Board.

Call to Order

Chairman Lockley called the meeting to Order.

Prayer and Pledge

There was a prayer followed by the Pledge of Allegiance.

Payment of County Bills

1. Bill List for Payment

On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve payment of the County's bills.

Approval of Minutes

2. Minutes-February 5, 2020
3. Minutes-February 14, 2020

On motion by Commissioner Jones, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to approve the minutes from the meetings held on February 5, 2019 and February 14, 2020.

Public Comments

Mr. Moron stated a time clock has been installed on the wall and will time the speakers. He reported if someone is speaking individually they are allowed 3 minutes to speak. He stated if someone is

speaking representing a group then they are allowed to speak for 5 minutes and no one else from that same group could speak. He said the time clock should help so there are no misunderstandings about time. Mr. Moron explained there are 3 different public hearings today and individuals can speak under public comment but there is also an opportunity to speak under public comment during the hearings. Commissioner Boldt asked if the Board should consider allowing the public to speak on Agenda items now that they have a time clock. He said the Board probably knows the history of why they have public comments and then nothing after that. Chairman Lockley said they will think about it and need more details.

Ms. D.T. Simmons, Public Health Department, said she is present with Ms. Emerald Larkin, a nurse with the Public Health Department. Ms. Simmons discussed the Department of Health (DOH) press release about Coronavirus (COVID-19). She explained this release has been shared with the county, their partners and the media. She said they are actively involved in enhanced surveillance for respiratory illnesses that may be COVID-19. Ms. Simmons stated Ms. Larkin will provide an update on their efforts locally. Ms. Larkin said they met with their hospital partners including Mr. David Walker, CEO at Weems Memorial Hospital, and his staff to discuss strategies and share the latest health care guidance. She said they continue to make sure their health care partners have the latest information. She provided the best preventive actions to take to avoid the spread of the illness. Mrs. Larkin reported there are no cases in Gulf County or Franklin County. She provided their contact information and the DOH website floridahealth.gov and CDC website cdc.gov. Commissioner Boldt stated he received a telephone call from Ms. Sarah Hinds, Franklin County Public Health Department, and she informed him they are used to outbreaks and know how to handle them. He thanked the Health Department for their work.

Mr. Grayson Shepard, President of the Apalachicola Artificial Reef Association, reported Mr. Ben Withers, a contractor from Carrabelle, passed away and his estate is donating a barge and tug boat to the Organization of Artificial Reefs (OAR) in Tallahassee. He explained OAR does not have a reef suitable for these two vessels but their Association does. He said the Buddy Ward Memorial Reef meets the requirements so he has been in contact with a marine contractor from Port St. Joe and they are willing to donate their time and materials to deploy this free barge and tugboat. He said the items must be cleaned, prepared and anchored. He stated they are moving forward with putting things underwater on the reef and it will supposedly not cost anything. He said he will keep the Board updated on the progress. Mr. Shepard stated they applied for the Florida Wildlife Commission's (FWC) artificial reef grant for this cycle in the amount of \$60,000. He explained this is a reimbursement grant which will be available in 2021. He explained they will have to come up with some money at the time but they will get reimbursed. Commissioner Boldt reported Mrs. Barbara Withers, Mr. Ben Withers' Mother, lives in his district and they are a very giving family. Mr. Shepard said Mrs. Lisa Withers, his widow, graciously donated these materials. He stated this will be named the Ben Withers Memorial Reef as requested by the family and will be inside of the Buddy Ward Memorial Reef. He reported the barge is 60 ft. long and 24 feet wide. Chairman Lockley asked when they will sink the barge. Mr. Shepard was not sure but said the contractor will go over in mid-March to pick up the barge, clean it and get the anchors attached. He estimated the barge may be deployed sometime in late spring or summer and they will let the Board know the date. He said they will have the newspaper there to document it. Chairman Lockley inquired how long it takes for fish to find the reef. Mr. Shepard said about 30 minutes.

Mr. Alan Feifer, Concerned Citizens of Franklin County, stated a lot has been said about their commitment to fulfilling the promises to the Weems Memorial Hospital renovation and rebuilding. He read an excerpt from the Board minutes from July 3, 2007. He reported the promises made 13 years ago are substantially different from what they are considering today. Mr. Feifer pointed out 13 years ago the proposal was for a 31,000 sq. ft. 2 story full service hospital. He said the people in the City of Carrabelle were promised a 24 hour a day, 7 day a week urgent care facility with a doctor and they have not delivered on that promise either. He stated they cannot fulfill all these promises and must bring this back to the people with what they know today and provide a reasonable response to the conditions that exist today. Mr. Feifer said they are still in the same financial condition as they were 13 years ago even though they have money coming in.

Ms. Candace Millender, a resident of Buck Road in Eastpoint, said she has been living on this road for 11 years with no help from anyone. She stated the owner of the road and the person in charge of the Estate of Ben Watkins has not helped and refused to be here today. She reported the previous Commissioner did not help and she feels like several of these issues fall on the county. She described the location and condition of the road. She explained there is a ditch that turns directly into their road and washes the road out. Ms. Millender reported after the fire and storm some people came in and trimmed trees and they did not clean up the debris so the trees are filling the ditches up. She reported there is no place for the water to drain and it ends in her yard so it fills up with water. Ms. Millender said there is also a fire cut that ends in her yard and it also fills up with water. She requested someone clean their ditches out. She reported they need an emergency fix due to the condition of the road. Ms. Millender stated it is almost impossible for emergency services to get through their road and they could not get to the end where she lives. She asked for the county to help or contact Mr. Steve Watkins to fix their road. Ms. Millender said Mr. Watkins refuses to speak with them and she is not sure if the county can do anything. She referenced the records from the Property Appraiser that say Mr. Ben Watkins is still the owner of the vacant land and the road and Mr. Steve Watkins is in charge of the estate. She asked for the county to do an emergency fix to the road. Attorney Shuler said this is a sad situation but is not the responsibility of the county. He reported this is a private road owned by a private individual and the county cannot put public equipment on a private road. Attorney Shuler stated there was a time when the county went through due diligence looking at private roads to possibly take over and the cost before stormwater management was in excess of \$5 million. He reported the county could not afford to take over the private roads and this is a matter between private owners and the person that sold the lots to them. Attorney Shuler stated the owners need to go to court and let the judge resolve this issue because there is nothing the county can do. Commissioner Massey asked about a one-time fix to all of them since they pay taxes. He said they cannot get in and out of their road.

Department Directors Report

Superintendent of Public Works – Howard Nabors

4. Report
Action Items:
None
Information Items:
Work Performed and Materials Hauled by District Report (attached - agenda packet)

Mr. Nabors said they are grading roads and have completed Alligator Point and are on St. George Island today. He stated they will work in Carrabelle and Apalachicola next. He reported they have been delayed because of rain and more rain is coming Wednesday and Thursday.

Mr. Nabors said they are cleaning the bike paths and sidewalks.

Mr. Nabors explained they are not finished with the spoil site clean-up as the equipment broke down but it has been fixed and they will finish the site.

Mr. Nabors stated he has an Equipment Operator position open and he would like to change it to an Inmate Supervisor position. **Commissioner Massey made a motion to approve the change.** Mr. Nabors explained he talked with the prison and they can probably get him another inmate crew but no state officers will be coming out. He reported they have grass season coming up and need as many inmates as they can get. **Commissioner Jones seconded the motion.** Chairman Lockley inquired about the Equipment Operator position. Mr. Nabors stated some of the employees will have to move up and learn to run some of the other equipment. Commissioner Jones asked if there will be a cost to the county if these employees move up. Mr. Nabors said there has never been a cost to the county in the past and they received nothing for moving up. **Motion carried; 5-0.**

Mr. Moron provided the following item from his report:

14. Dead Trees on Hwy 98: At your last meeting I was directed by the Board to contact the Florida Department of Transportation (FDOT) regarding the number of dead trees in the county along Highway 98. The FDOT local representative explained that the state has actively been removing dead trees from the state right-of-way along Highway 98. He further explained that some of the dead trees may appear to be on the state right-of-way but are actually on private property. The representative suggests that Mr. Howard Nabors (Road Superintendent) compile a list of trees and their locations, then contact him so they can verify if the trees are on state right-of-way.

Request: Board discussion and direction.

Mr. Moron said he and Mr. Nabors need some direction on this matter. Commissioner Parrish asked if private property owners are responsible if trees are on their property falls across the highway and kill someone. Attorney Shuler responded a lawsuit would have to make that decision. Commissioner Parrish questioned if they can notify the land owners if their property has some of these trees. Attorney Shuler replied yes. Commissioner Parrish stated the county cannot take equipment and go on private property. He reported because of the direction of the hurricane a lot of the trees on the south side are leaning toward the highway. He felt the county should notify these landowners of the potential liability issues so maybe they will remove the trees and no one will get hurt. Mr. Nabors identified an area in Eastpoint with about 20 trees that he felt like was an accident waiting to happen. Commissioner Parrish reported since the county knows about this they need to take action and show that they tried to have these trees removed. He asked Mr. Nabors to note exactly where the trees are and try to find out who the property owners are. He said county staff needs to notify these landowners with a letter. Commissioner Parrish suggested Attorney Shuler assist them with the letter. **Commissioner Parrish made a motion to direct Mr. Moron and the County Attorney to notify the**

landowners about leaning trees on their property that need removal. Commissioner Jones seconded the motion. Chairman Lockley stated this way there is a record that they tried to do something about this issue. Commissioner Boldt suggested a state official go with Mr. Nabors while he is doing this inventory so they can come to decisions on site. Commissioner Massey reported it is not the state but whoever took over Transfield. Mr. Moron stated they want Mr. Nabors to compile a list and then they can ride around and look at the trees on the list and make decisions. Commissioner Massey discussed a tree west of the lighthouse that needs to be taken down and is on property that was donated to the county. **Motion carried; 5-0.**

Mr. Moron read the following item from his report:

15. Signage @ EP School: Commissioner Boldt asked that I contacted Florida Department of Transportation (FDOT) about adding signage at the Highway 98 & consolidated school T-intersection in Eastpoint. He felt without additional signage there was a strong possibility of someone leaving the school at night, then driving directly across Highway 98 and into the water. FDOT has installed signage on the south side of Highway 98 to warn any motorists exiting the school to turn left or right, however FDOT also suggest the installation of a oversized "STOP" sign and a "STOP AHEAD" sign on the school's exit road (picture attached - agenda packet). Would the Board consider ordering the signs and having the county's road department install the signs if the Superintendent is agreeable?

Request: Board action to authorize the purchase and installation of the STOP and STOP AHEAD signs for the entrance/exit Consolidate School road, contingent on the Superintendent of Schools approval.

Commissioner Boldt made a motion to approve. Commissioner Massey seconded the motion.

Commissioner Boldt asked if they should consider the stop signs that have flashing lights around them. He questioned if they should also ask for guardrails considering how close Seahawk Drive is to the water. Commissioner Jones said since ingress and egress are both on the same road an oversized stop sign would work. Mr. Nabors pointed out the speed limit is also 15 mph on this road. Mr. Moron said the original request for directional signs also included a request for guardrails but the Department of Transportation (DOT) just decided to add the signs. Commissioner Boldt asked if they should ask again about the guardrails. Mr. Moron offered to send another letter. Commissioner Massey stated DOT is not going to put the guardrails up because it cost too much money but they placed the signs. Chairman Lockley asked if they got permission from the school. Mr. Moron said he will seek permission. Chairman Lockley inquired if the county will get their money back. Mr. Moron stated he was asking if the county would pay and have county staff install it. **Motion carried; 5-0.**

Mr. Nabors said they dug up the trees where their new office will be constructed. He reported in March or April they will have another bid meeting and start construction as soon as possible. Commissioner Jones inquired if the bids will be received in April. Mr. Nabors answered yes and said they have one more meeting. He explained if they will survey and mark the site then they can get started on it. Commissioner Massey asked if the building will have a cement foundation. Mr. Nabors said he thinks that is in the bid specifications.

Chairman Lockley said it is very dark on Highway 98 right past 24th Avenue inside the city limits in Apalachicola. Mr. Nabors commented the lights may have blown away in the storm. Chairman Lockley said the lights are there but not working and it is a safety issue because it is dark. Mr. Nabors agreed to check on this situation and contact Mr. Moron so they can get someone to fix the lights.

Chairman Lockley asked if they can ask for BP money to address the problems with the private roads. Attorney Shuler stated he does not think these funds can be used for private roads but they could ask Mr. Pierce. Mr. Moron said neither Mrs. Brownell nor Mr. Pierce are here and he would like to address this question to them and report back to the Board. Mr. Moron reported he will check to see if there is any money available anywhere for this type of work. Chairman Lockley stated he knows the county cannot do this but would like to know if there is anything anywhere to help the people.

Solid Waste Director – Fonda Davis

5. Report

Action Items:

None

Information Items:

Right of Way Debris Pickup/Recycle Material Hauled Report (attached - agenda packet)

Fleet Information (attached - agenda packet)

Recycling Articles (attached - agenda packet)

Mr. Davis reported attached to his report is information about recycling and a list of the recycling fleet. He asked the Board to take time to review the information and share it with people that do not understand what is happening.

Mr. Davis said the ballpark lights are on from Monday-Thursday 6:00 p.m. until 8:30 p.m. and he has been getting some complaints and concerns about leaving the lights on. He stated they plan to move up the lights when the season gets started. Mr. Davis explained right now some of the kids are practicing on the weekends. He said they do not have staff to make sure the lights are turned off. Mr. Davis suggested they can set the lights from Sunday-Saturday 6:00 p.m. until 8:30 p.m. but he will set them for whatever time the Board desires. Commissioner Parrish reported the time changes Sunday so they will have to re-address when the lights come on and off. Mr. Davis agreed they will. Chairman Lockley asked if the lights are on a timer. Mr. Davis replied yes. Commissioner Parrish said he does not think the kids should be out there after 9:00 p.m. when they have school the next day. He stated it will start getting dark about 8:30 p.m. so they need to make adjustments and let everyone know including the coaches when the lights will come on and go off.

Commissioner Parrish said he is getting a lot of calls about the recycling issue. He reported if you research this on the internet there are many articles where recycling is an issue across the country. He said he is hearing from the businesses in Apalachicola that do not have an opportunity to recycle. Commissioner Parrish reported he sent an article to Mr. Moron to disburse to the other Commissioners. He explained this is what the country is facing when China refused to accept any more recyclables. He suggested Mr. Davis may need to run an ad in the newspaper with links so people can

see the articles. Commissioner Parrish stated Franklin County is one of the last counties to suspend recycling. He explained they want to recycle but when there is no marketable solution for the recyclables they go into the landfill. Mr. Davis agreed but clarified it is not being placed in Franklin County's landfill but is being hauled out to Jackson County. Commissioner Parrish pointed out the landfills the county are hauling to will eventually be overcome with these materials and it will be a problem in the future. He stated one article said they want the manufacturer of these products to pay for the recycling. Mr. Moron reported if they use the county's website to get their agenda there are links to the articles. He stated the Board is also looking at this from a financial/budgetary aspect and saving the taxpayers money because separating the items makes no difference when they are going to end up in the same place. Commissioner Parrish stated if the recyclables are contaminated then they have to be sorted by hand and it takes a lot of manpower to separate the recyclables. He went on to say if the program worked perfect there is still no market for the recyclables. Mr. Davis said the cardboard is marketable and is \$75/ton right now and in the summer goes up to \$125/ton. He explained the cardboard is stockpiled at the landfill and it is getting rained on so eventually it end up in the garbage. He stated they deduct a moisture rate for a little rain but they will not take it when it is falling apart. Mr. Davis said he will leave the cardboard bins out unless the Board tells him different. Commissioner Parrish stated the businesses downtown would like to have a dumpster but they do not have a place for it. He explained they tried to put a recycling bin out but people put garbage in it so the county had to remove it. Commissioner Parrish reported if one business has a dumpster then people go during the night and fill the dumpster up. He stated people are criticizing the county but this county is the last one to suspend recycling. He explained they have been hearing from people about this issue but there is no resolution. Commissioner Parrish stated they have to move forward and hopefully something will show up and they can re-start recycling. Chairman Lockley said if they add a \$.03 deposit to each bottle it would take care of it but they do not want to do it. Commissioner Boldt stated they need to emphasize that they are temporarily suspending recycling. He said they will study the process and look at mobile recycling for next year. Chairman Lockley reported mandatory trash pickup county wide will help also. Commissioner Jones agreed that would help. He said if there is no market for recyclables and the items are going to be transferred anyway then they should not say they are recycling when they are not. He said they have an aging recycling fleet and it would be unwise with taxpayers' dollars to re-up the fleet when the items are going to the Jackson County landfill anyway. Commissioner Boldt asked if they should consider mandatory garbage and trash collection across the county. Chairman Lockley answered yes. Commissioner Boldt suggested they develop a white paper and have a public discussion. Commissioner Parrish explained they have looked at this before and the way it works in the City of Apalachicola is they have a water and sewer bill and the trash collection is added to the bills but the county does not have a water and sewer facility so they do not have this ability. He reported these companies will not bill each individual for these services but will bill the county and then the county has to get their money back from the individuals. He explained they must come up with the revenue to pay for these bills. Commissioner Boldt said they can contact the garbage collection vendors and ask them to reconsider. Commissioner Parrish stated the contractor is not going to send out the bills and hope they get their money. He said he is not in favor of the county paying garbage bills that individuals do not pay because it will raise everyone's taxes. Commissioner Boldt suggested they tell the company to bill the customer and the county will not get involved. He questioned if they have asked the companies and the companies said no. Commissioner Parrish answered yes. Commissioner Jones agreed and said it has been a couple of years since they asked. Chairman Lockley suggested they go out for bids and someone will provide these services.

Commissioner Boldt agreed they might find a vendor that is interested. Chairman Lockley agreed it is not the county's responsibility but the vendor's responsibility to pick up the garbage and collect the money. Commissioner Massey stated the cities are going to use the vendor they want and the county is going to select one for the unincorporated areas. Mr. Davis asked if the Board would like him to reach out to the vendors and find out. The Board agreed he should contact the vendors. Commissioner Jones asked Mr. Davis to also reach out to the Eastpoint Water & Sewer District and the St. George Island Water District about billing their own customers.

Mr. Moron read the following item from his report:

16. Debris & Trash on H98: At the last meeting the Board request that I contact the Florida Department of Transportation (FDOT) about piles of yard debris, trash, and sometimes construction debris left on Highway 98. Based on a conversation with the local FDOT representative, that act of dumping is illegal. The representative told me when they questioned a few of violators, their response was "the county said to do this". My best guess is that some residents and property owners think that the Hurricane Michael debris pick-up program is still in effect. The best way to combat this problem is to advertise that dumping on Highway 98 and other county roads is illegal. I would like the Board to authorize Mrs. Pam Brownell (Emergency Management Director) to use the Alert Franklin system to send this message and I will add the same message to the website. If necessary, I would talk to the local radio stations and The Times about advertising this message as a Public Service Announcement.

Request: Board action to authorize Mrs. Brownell to use the Alert Franklin system to advertise the illegal dumping message.

Commissioner Massey made a motion to authorize Mrs. Brownell to use the Alert Franklin system to advertise the illegal dumping message. Commissioner Jones seconded the motion. Commissioner Jones pointed out the problem with advertising is they are choosing one road and telling them the rest of the roads are wide open. Attorney Shuler reported the Board passed an Ordinance prohibiting dumping on all county roads. He said this ordinance will be given to Mr. Moron so they can include it in the message to address these concerns. Commissioner Parrish reported the problem is they cannot trace where the piles of garbage came from. He said Highway 98 is a state highway system and the state should decide how to control the trash on the sides of that road. Commissioner Parrish stated people take items and put them in front of other people's houses. Mr. Moron reported garbage also comes in from other counties. Mr. Moron explained his reason for the message is so they know the county is saying this is wrong and there is no confusion. Commissioner Parrish reported the message should include possible prosecution for illegal dumping. Mr. Moron agreed he will include that in the message. Chairman Lockley said it would work if they offered a reward. The Board agreed that would work. Commissioner Boldt asked if it is appropriate to use Alert Franklin for this message. Mrs. Tress Dameron, Emergency Management Department, stated the system is mostly for life/safety but according to the grant it is also for public messages. Commissioner Boldt asked if citizens can pay for assistance and the county can use heavy equipment for things the citizens cannot do. Attorney Shuler agreed this is the same as what they discussed earlier in the meeting about private property. **Motion carried; 5-0.**

Commissioner Jones thanked Mr. Davis for everything his department did with resurfacing the basketball court on St. George Island. Commissioner Jones advised one of the goals may be higher than the other one and someone volunteered to help correct this matter. Mr. Davis said he would like to have this assistance.

Emergency Management Director – Pam Brownell

6. Report

Action Items:

None

Information Item:

EOC Staff worked on updating the LMS (local mitigation strategy).

EOC Staff continue to issue re-entry tags to residents of Franklin County.

02/23-02/27/20 Tress Dameron attended the L449 Train the Trainer Class in Madison County.

FCEM Staff continues to work on FEMA reimbursement claims from Hurricane Michael. This includes working with FEMA staff regarding mitigation of damaged parks, roads, etc. Mitigation takes some time but EOC Staff continue to work diligently with FEMA Staff on the most beneficial repairs for Franklin County. Attached (agenda packet) is an update of FEMA projects.

Mrs. Dameron explained they have a Request for Proposals (RFP) for construction contractors to do the Hurricane Loss Mitigation Program (HLMP). She reported they have done this program for about 4 years and it helps to wind retrofit people's homes. Mrs. Dameron said they applied for the grant and were awarded the grant. She stated they advertised for bids and will now open the bids. Commissioner Parrish said the Community Development Block Grant (CDBG) Disaster Recovery (DR) monies are coming in and can be used as the local match for mitigation projects such as County Road 30. Mrs. Dameron agreed that is correct. Mrs. Dameron stated they can also be used as a match for SHIP Projects. She said she usually contacts Mrs. Deborah Belcher, CDBG Administrator, to see if she has any items on her list. Commissioner Parrish explained he is speaking about FEMA projects because this money can be used as the local match for mitigation projects. He said the road is washed out at C.R. 30 and if they can get the mitigation approved then they can apply for these monies to use as the 25% match. Mrs. Dameron stated they have \$194,000 in the grant. Commissioner Parrish reported the St. George Island Bathrooms is a project also and if mitigation needs to be done there then the same monies can be used. Chairman Lockley asked if they have used some of the money. Mrs. Dameron said they have not used the money yet because they need to open the bids for the contractors but they are moving forward. Commissioner Jones said he and Mr. Pierce went to the local meeting about these funds and they are for housing, infrastructure and economic development but it has to be tied to Hurricane Michael. He said what Commissioner Parrish mentioned is valid and he asked in a public meeting if it could be used as a match and they said yes. He stated this will not go through until the fall because they are still forming the plan. She said the HLMP funds were allocated prior to Alligator Point and since that project didn't occur during the year they went ahead and released the funds. Mr. Moron presented an item from his report, as follows:

18. CDBG DR Resolution: At your last meeting Mr. Pierce discussed a Department of Economic Opportunity (DEO) workshop he attended with Commissioner Jones where the state's plan for spending \$735 million of Community Development Block Grant (CDBG) Disaster Recovery funds, due to Hurricane Michael, was discussed. Since then, Mr. Pierce and I met with Mr. Chris Holley, the City of Apalachicola's interim City Manager, to discuss the plan. It was determined, at that meeting, in order to allow each county in the impacted area the opportunity to use these funds for recovery, a resolution should be sent to the Governor and State Legislature establishing that county's strategies and priorities. However, the message of each county and municipality's resolution should be similar in its request so it is received as a regional request. Attached (agenda packet) is a Gulf County resolution that speaks to their priorities and desired strategies for your review. At your next meeting I would like the Board to consider a similar resolution that will speak to Franklin County's priorities and desired strategies.

Request: Board discussion and direction as to the wording of the resolution.

Commissioner Jones stated as the county's representative on the Apalachee Regional Planning Council (ARPC) he can present this item to Liberty County and Calhoun County since they are also affected areas if that is the pleasure of the Board. Mr. Moron reported the City of Apalachicola will do a Resolution and he can also reach out to the City of Carrabelle if that is the direction of the Board. The Board agreed with this action. Mr. Moron said he will get the Resolution together and have Attorney Shuler review it. Commissioner Jones left the meeting at this time. Commissioner Boldt inquired if Mrs. Brownell met with FEMA officials in reference to Island View Park inventory of damages. Mrs. Dameron said she was out of the office but thinks Mrs. Brownell met with them last week.

RFP/RFQ / Bids Opening

7. The Franklin County Board of County Commissioners will open and read aloud proposals with documented quote for professional contractor services for wind retrofitting residential homes located in Franklin County.

Mr. Moron and Mrs. Dameron opened and read the Request for Proposals (RFP's), as follows:

<u>Company</u>	<u>Location</u>
Hurricane Shutters/ J.P. Roberts	Crawfordville, FL
Florida Retrofits	Palm Bay, FL

Mr. Moron asked if there are amounts. Mrs. Dameron explained she gave them a list of homes they have inspected and they provide the cost it would take to retrofit or mitigate the homes. She said they will take the low bid. She reported J.P. Roberts only does shutters and Florida Retrofits does all of the work. Attorney Shuler asked if she will read the amounts. Mrs. Dameron explained the RFP's go to a committee for review because there are 11 or 12 houses and each one will be a little different. She reported they advertised in the newspaper and posted the advertisement at the Planning & Zoning Office, online and Facebook.

Mr. Moron reported they need to come back to the Board with a recommendation. Mrs. Dameron said she will take the two bids to the state and they will give her approval to go forward with the

contractors and for how much. Attorney Shuler asked who is on the review committee. Mrs. Dameron responded she will be on the committee along with Mrs. Brownell and someone from the Planning & Zoning Office. Mr. Moron suggested Mr. Steve Patterson, Building Inspector. **On motion by Commissioner Massey, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to turn the RFP's over to the committee for review and a recommendation.**

Chairman Lockley asked if they are ready for hurricane season. Mrs. Dameron replied yes, they are always ready.

Commissioner Jones returned to the meeting.

The meeting recessed at 10:17 a.m.

The meeting reconvened at 10:27 a.m.

Extension Office Director – Erik Lovestrand

Mr. Moron stated Mr. Lovestrand is at a County Extension Director's meeting in Walton County. He said if the Board has any questions about his report they can contact him.

8. Report

General Extension Activities:

- Extension office assisted clientele with issues related to algae problems in fishponds, coastal plants for landscaping, suitable turf for coastal lawns and more.

Sea Grant Extension:

- Extension Director gave a presentation on off-bottom oyster aquaculture in the Northern Gulf, for the Apalachicola Reserve's Wednesday lecture series. There were 110 people in attendance.
- Extension Director worked with St. Marks Refuge and oyster growers from the area to coordinate a clean-up effort aimed at removing displaced oyster gear from the Refuge that broke loose during Hurricane Michael.
- Extension Director participating in ACF Stakeholder's meeting that is being hosted by the Apalachicola caucus this week.
- Extension Director set up an exhibit and represented Florida Sea Grant at the Capitol building for an Ocean's Day event. Information was shared with Legislators, Staffers, and the public regarding the work that Florida Sea Grant does around the state.

4-H Youth Development:

- 6 Franklin County youth attended the NW Extension District Teen Retreat event near Niceville on Choctawhatchee Bay.
- Preparation for summer camp youth and counselor recruitment is underway. Registration information will be going out to the schools soon.

Family Consumer Sciences:

- FNP Program Assistant has worked to establish a school garden at the First Baptist School. Also working on a new garden site at the Headstart program location.

- Family Nutrition Program (FNP) Assistant teaching a new hands-on cooking skills class with Healthy Weight and Lifestyle group that meets at Weems weekly for the next 6 weeks.

Horticulture/Agricultures:

- Wakulla Extension Director taught two Master Gardener classes in Eastpoint and also presented a program at the Eastpoint Library on gardening.

Library Assistant Supervisor - Whitney Nixon-Roundtree

Ms. Nixon-Roundtree presented the following report:

9. Report

Information Items:

New Part -Time Employee, Mary Whitesell- FCPL is proud to welcome our new part-time employee, Mary Whitesell. Mary's first day was February 18th. She has completed training at both branches. The Friends of the Franklin Public Library Annual Book Sales- The Friends have completed their annual book sales at both library branches. Both branches saw over a 100 visitors for the Book, Bread and Soup Sale. Funds raised go towards programming and activities at the libraries.

Community Awareness / Resources:

2020 Census Assistance- Franklin County residents who wish to do their part to be counted as a part of the 2020 Census can do so online at any Franklin County Public Library branch. Staff and volunteers will be standing by to assist patrons with navigating the 2020census.gov website.

Monthly Gardening Programs- The next gardening class with Les Harrison meets March 10th at the Carrabelle branch and March 17th at the Eastpoint branch at 1:30 PM. The topic this month is all about growing tomatoes.

Dr. Seuss Birthday Celebration – The libraries are celebrating the birthday of beloved children's author, Dr. Seuss. Book displays featuring his work are up at both branches. The Carrabelle library has a special event planned on March 2nd complete with activities, treat and prizes.

Basics of Better Living Programs- Monthly program with Samantha Kennedy from the UF/IFAS Extension Office. March topic will be "Instapot Cooking" available at the Carrabelle Branch, Friday March 6th at 1:30 and the Eastpoint Branch, Friday March 20th at 1:30.

Free Diabetes Awareness Class- A free class for adults with diabetes and pre-diabetes. This course is taught by a Certified Diabetes Care and Education Specialist who will guide participants in learning how to better manage this complicated condition. Class will meet the first Tuesday of each month from 10:00 AM to 11:00 AM at the Eastpoint branch.

Free AARP Tax Aide – January 30 – April 9, alternating Thursday's 10-2 beginning with Carrabelle on January 30. Registration is necessary at your selected branch. Paperwork is to be completed prior to the scheduled appointment and can be picked up at either branch location.

Adult & Children's Monthly Calendar of Events:

Carrabelle: Zumba, Mondays, Wednesdays and Fridays at 10:00

Carrabelle: STEAM (ages 8-14) weekly, Thursdays at 4:00

Carrabelle: STEAM (ages 5-7) 2nd and 4th Wednesdays at 4:00

Carrabelle: Lego Club, first Tuesday at 4:00

Carrabelle: Coloring for Adults, first and third Thursdays at 10:30

Carrabelle: Yoga: Instructional, Monday's at 4:00, Video – Tuesday, Wednesday, & Friday at 4:00

Carrabelle: Craft Hour for Adults, 2nd and 4th Fridays at 1:00

Eastpoint: Teen Book Club, monthly for grades 6 – 12, monthly 1st Wednesdays at 4:00

Eastpoint: STEAM (ages 5-7) 1st and 3rd Mondays at 4:00

Eastpoint: STEAM (ages 8-12) 2nd and 4th Mondays 4:00

Eastpoint: Story Time (ages 1-6) 2nd and 4th Thursdays at 10:30

Eastpoint: Anime Club (ages 5th – 12th grade) – Monthly, 2nd Wednesdays at 4:00

Eastpoint: Diabetes Awareness- Monthly, 1st Tuesday at 10:00

Eastpoint Book Chat: Monthly, 1st Tuesday at 1:30 (next meeting March 3rd 2020)

Eastpoint Yin Yoga: Tuesdays at 3:30, Monthly 1st & 3rd Friday's at 11:00

Eastpoint Writer's Forum: Monthly, 3rd Wednesday's at 1:00 (next meeting, January 16)

Ms. Nixon-Roundtree thanked Mr. Rick Watson and the Rock by the Sea Foundation for their donation of \$8,400.00 to the Friends of the Franklin County Library. She reported the funds go toward the Music as a Second Language Program and pays for teachers and instruments. She stated the money also goes to fund the summer reading program.

Ms. Nixon-Roundtree highlighted some of the events going on at the library.

Commissioner Jones thanked Ms. Nixon-Roundtree for doing a good job.

CDBG Administrator – Report (Deborah Belcher)

Mrs. Belcher provided the following report:

10. I again visited the home of Anna and Devin Creamer, 568 Wilderness Road, the afternoon of Monday, 2/24/2020. The yard is still not cleaned up, and the 2019 taxes are not paid. Ms. Creamer is requesting a 4-bedroom home instead of a 3-bedroom model. I am checking on the cost of that option, although I know that a model with quality and features similar to the ones we have been providing will cost significantly more than the County's normal \$75,000 limit. I informed Ms. Creamer that I will have the cost information ready for the 3/17/2020 Board meeting. Ironwood Homes of Perry has had a factory price increase, so we will have to go back out for bids on new cases. As in the past, I will handle the advertising and proposal evaluation process for the County.

Mrs. Belcher said the taxes for Anna & Devin Creamer were paid after her report was submitted.

Bid Approval:

At the January 21, 2020 meeting, the Board approved getting resubmittals of proposals for Kathy Hill's mobile home replacement, 773 Buck Street, not to exceed \$80,000. Ironwood Homes of Perry submitted a proposal for a home that meets specifications in the amount of \$75,393.28, including demolition of the existing home, tree removal if required, and higher elevation for the floodplain. Clayton Homes of Panama City submitted a proposal for a comparable product, for \$83,200. Ms. Hill is agreeing to the Ironwood Homes proposal, which is just \$393 more than the County's normal \$75,000 limit. We are still trying to determine whether septic system work will be required, which is not included in the proposals.

Requested Action: Approve \$75,393.28 in CDBG funding for Kathy Hill's mobile home replacement contract, plus up to \$500 for change orders if required, and funds for the CDBG mortgage recording.

On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve \$75,393.28 in CDBG funding for Kathy Hill's mobile home replacement contract, plus up to \$500 for change orders if required and funds for the CDBG mortgage recording. Mrs. Belcher explained as part of their environmental review they did a septic system inspection and they think the system is okay. She stated the report was sent to the Health Department in November and they still do not have a response. Mrs. Belcher inquired if it is county policy that staff can approve up to \$10,000 without bringing it back to the Board. Attorney Shuler commented the local bid policy is now up to \$15,000 and the Board can purchase items without going out for bids unless the bid is required by some other state law or federal requirement. Mrs. Belcher asked if she can have Mr. Moron or Mr. Curenton approve this expenditure if they have to do the septic system improvements. **On motion by Commissioner Jones, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was approved this request.**

Mrs. Belcher reported they will have 4 mobile homes on order by this afternoon. She stated 3 were approved at the last meeting and the 1 approved today. Mrs. Belcher said 1 mobile home was delivered yesterday.

Mrs. Belcher stated in relation to the CDBG DR funds the last she heard you could not use the funds for mitigation only for actual damages. She reported people have been asking if they can use the funds for mitigation and the state has said not unless HUD or Congress say they can. She stated the county could focus on this in the resolution. Mr. Moron agreed that is the point of the Resolution. He explained they get to tell the Governor and the state their strategies which includes mitigation. He stated if all the impacted counties go together as a region then they are hoping to get this done. Mrs. Belcher explained in relation to using the CDBG DR funds as a match for other grants the funds must be used for items that are CDBG DR eligible. She said the last she heard the state intends to handle all housing funds directly and not with the local government. She reported people who own the housing would apply directly to the state for housing assistance. Mrs. Belcher said if there is going to be any matching funds or something that would be eligible the county might want to include in the resolution that even though the state is handling the funds the county could receive some of the funds. She explained it will not be feasible to say they are matching other housing grants with CDBG DR funds because the money does not come to the county it goes directly to the owner. Commissioner Parrish questioned if Buck Street can be repaired so they can deliver the trailer. Mrs. Belcher reported in the past some of the mobile home dealers have dumped some dirt on the roads. She said the road is bad and the mobile home dealers have seen the condition of the road. She stated she has heard several complaints that several years ago the county dug a ditch around Bear Creek and the ditch is now dumping water on Buck Street but she does not know if that is true. Commissioner Parrish said the county has not been on private property digging a ditch.

Mr. Moron brought into discussion the taxes being paid on Devin Creamer's property and said this was done after her report was submitted. Mrs. Belcher confirmed that is correct. Commissioner Parrish asked about the condition of the yard and if the yard being clean is a requirement. Mrs. Belcher

answered yes. Commissioner Parrish inquired if the property owners know about this requirement. Mrs. Belcher replied yes, they have known for over a year. Mrs. Belcher commented as of last week the yard was not clean but she will visit the property again today. Commissioner Parrish reported that requirement is part of the program and they must comply with the program. He stated the county cannot go on private property so the applicants must take care of this.

RESTORE Coordinator – Alan Pierce – Report

Mr. Moron said Mr. Pierce is attending a Triumph meeting in Port St. Joe. Chairman Lockley asked if they can use Triumph money on any of these roads. Mr. Moron agreed to ask Mr. Pierce.

Clerk of Courts – Marcia M. Johnson – Report

Clerk Johnson did not have a report at this time.

County Coordinator – Michael Morón – Report

Mr. Moron read his report, as follows:

Action Items

14. The item was addressed earlier in the meeting.
15. The Board handled this item at the beginning of the meeting
16. This item was addressed during the Solid Waste Director's Report.
17. FDOT Grants: The Planning Office has prepared grant applications for eight SCOP, SCRAP and CIGP projects to be funded by the Florida Department of Transportation. These projects include:

Small County Outreach Program (SCOP)

Replacement of the three culverts on Highway 67 at Womack Creek.

Resurfacing of Hickory Dip in Eastpoint.

Paving the remainder of Mill Road.

SCOP Bridge Repairs

Trout Creek Bridge on Mill Road.

Syrup Branch Bridge on New River Road.

Small County Road Assistance Program (SCRAP)

Widening and Resurfacing of Highway 67 from State Forest Road 166 to State Forest Road 172.

Widening and resurfacing of Highway 67 from State Forest Road 172 to the Liberty County line.

County Incentive Grant Program (CIGP)

Replacing the culverts under Ryan Drive between 9th St. NW and Sunset Circle in the City of Carrabelle.

Each of these applications requires a resolution from the Board of County Commissioners stating that the Board supports the project and authorizes the Chairman to sign the application form. These applications have to be submitted by Friday, March 20.

Requests: Board action to approve and authorize the Chairman's signature on the eight FDOT application resolutions.

On motion by Commissioner Massey, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to approve the Resolution and authorize the Chairman's signature on the eight FDOT application resolutions.

18. This item was addressed during the Emergency Management Department report.
19. Sacred Heart/Ascension: At your February 18th meeting I was directed to coordinate with Mr. Roger Hall (Sacred Heart/Ascension Regional President) a date that he would be available to present changes to the Sacred Heart/Ascension's proposal for healthcare in Franklin County to the Board. The earliest date that Mr. Hall and this room is available for a special meeting is Monday, March 9th. If there are no schedule conflicts, we could meet at 1:30 p.m. (ET).

Request: Board action to authorize a special meeting on Monday, March 9, 2020 at 1:30 p.m. to hear from Mr. Roger Hall regarding Sacred Heart/Ascension's proposal for healthcare.

On motion by Commissioner Boldt, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to authorize a special meeting on Monday, March 9, 2020 at 1:30 p.m. to hear from a proposal from Sacred Heart/Ascension. Commissioner Boldt said they are reaching out for all possibilities for input and were proactive in this invitation for Sacred Heart and Alliant to provide information they need. Mr. Moron explained USDA gave the county another week before they have to respond about the funding. Commissioner Parrish said he has a conflict with this date. He stated he will try to get his appointment changed but he may not be able to make the meeting.

20. Highway 67 sidewalk project update: Russel Large with Inovia is working on revising the plans to reduce the length of the sidewalk by approximately one mile to bring it within the current budget for the project. FDOT has informed the County that this reduction in the project will require the County to get a new approval from FDOT for the project, and we will have to rebid the project. Therefore, all of the bids opened on January 7th will have to be rejected by the Board. When we have authorization from FDOT we will come back to the Board for authorization to rebid the project.

Request: Board action to reject all bids opened on January 7th.

Commissioner Massey made a motion to reject all bids that were opened on January 7, 2020 for the Highway 67 sidewalk project. Commissioner Boldt seconded the motion. Commissioner Jones asked if there will be any costs incurred. Mr. Moron said any costs will be paid by the City of Carrabelle and is a matter between Inovia and the City of Carrabelle. **Motion carried 5-0.**

21. Permit Violations: As part of your Planning & Zoning report, at your last meeting, Mrs. Amy Ham-Kelly (Zoning Administrator) informed the Board of a dock that was built without a permit. Since then, staff has found another violation in the county on a commercially zoned property where an accessory structure was built without a permit. The property owner was aware of the process but chose to seek 'forgiveness rather than permission'. As these violations are occurring more often than not, it is time for the county to consider making it easier to seek permission rather than forgiveness. I suggest authorizing Attorney Shuler to create a draft ordinance for your review that would increase the fines and penalties for anyone not obtaining a permit before starting any construction or building in the unincorporated areas of the county.

Request: Board action to direct Attorney Shuler to create a draft ordinance increasing the fines and penalties for anyone not obtaining a permit before starting construction, building or additions in the county.

On motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to direct Attorney Shuler to create a draft ordinance increasing the fines and penalties for anyone not obtaining a permit before starting construction, building or additions in the county.

22. FAC Summer Conference: Early registration is open for the Florida Association of Counties Annual Conference and Educational Exposition (summer conference). The conference will run from June 9th - 12th and will be held in Orange County. Confirm with Mrs. Cortni Bankston that you are planning on attending so that the registration and reservations can be done as early as possible.

Request: Board action to authorize travel and expenses for the Commissioners, staff, and Attorney Shuler to attend the FAC Summer Conference.

On motion by Commissioner Jones, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to authorize travel and expenses for the Commissioners, staff, and Attorney Shuler to attend the FAC Summer Conference. Mr. Moron asked the Commissioners to let his office know if they are attending.

23. Camp Gordon Johnston Parade: The 25th anniversary of Camp Gordon Johnston Days events will be from Friday, March 13th to Sunday, March 15th. The parade will be on Saturday, March 14th starting at 10:45 a.m. (ET) in Carrabelle. Besides having Mrs. Brownell (EM Director) and Mr. Davis (Parks and Rec. Director) provide some transportation for the parade is there any other needed arrangements?

Request: Board discussion.

Commissioner Jones said he will be out of town.

Information Items

24. Weems Update: Inform the Board that the Finance Office received \$226,578.78 from the Florida Department of Emergency Management (FDEM) designated for Weems Memorial. This funding is a result of a \$1.1 million Hurricane Michael revenue loss reimbursement claim submitted to FDEM on behalf of Weems. Earlier in the month Weems requested an \$150,000 advance from the trust fund, based on this approved reimbursement, to make sure there was adequate funding for the upcoming payroll. The \$150,000 will be transferred back to the trust fund and the remaining \$76,578.78 will be transferred to Weems. In addition, due to a partial Low-Income Pool (LIP) payment, the CEO was able to transfer \$135,000 to the savings (Money Market) account.
25. Division of Aquaculture Meetings: The Division of Aquaculture will hold two pre-application meetings for anyone interested in applying for a lease at the Four-Mile Aquaculture Use Zone (AUZ). The first meeting will be held on Wednesday, March 4th from 5:30 - 7:30 p.m. (ET) and the second will be on Thursday, March 5th from 3:00 - 5:00 p.m. (ET). Both meetings will be held at the Community Center located at #1 Bay Avenue here in Apalachicola. "Applicants

must attend the entire meeting and present photo identification to be eligible for the preference for attending the meeting."

Mr. Moron said the Board has fought for this preference and the applicants must present photo identification and attend the entire meeting.

26. Eastpoint Dredging: Inform the Board the Corps of Engineers has contacted Alan that they will be coming over here the week of March 9 to provide the county with the cost estimates and 3 proposed designs for dredging the Eastpoint channel. Alan will provide the Board with the information when he receives it.

Mr. Moron said hopefully they will have some kind of timeline. Chairman Lockley asked if they are going to dredge both of the channels together. Mr. Moron explained these are 2 different projects but they are trying to do both projects at the same time and save on the mobilization costs. He stated the Eastpoint Channel will be done first then they can move to the next one. Commissioner Jones said the difference is the Eastpoint Channel has money appropriated from the federal government to the Corps of Engineers and the money for the other channel is coming out of BP funds. Chairman Lockley mentioned there was money allocated before for the channel but it had to be used for Hurricane Katrina.

The meeting recessed at 10:59 p.m.

The meeting reconvened at 11:10 a.m.

Mr. Moron pointed out the clock on the wall and said individuals have 3 minutes to speak and anyone representing an entity or group can speak for 5 minutes.

Public Hearings I (11:00 AM)

Attorney Shuler advised the first action is to recess the Board of County Commissioners' meeting and reconvene the meeting of the Local Planning Agency (LPA). Chairman Lockley recessed the Board of County Commissioners' meeting and convened the meeting of the LPA. Attorney Shuler read the following:

11. Local Planning Agency 11:00 AM

(This is a continuation of a public hearing held on 1/21/20 tabled to 3/3/20 at 11:00 a.m.) An ordinance of Franklin County, Florida, amending the St. George Island Corridor Overlay District Ordinance 2018-02 by removing the prohibition against single family residential uses on the first floor for property located within a 2,100-foot radius of the center point of the intersection of Franklin Boulevard and Gulf Beach Drive, St. George Island, Florida, as described in plat book 2, page 7, Franklin County, Florida, excluding the area east of east boundary of Third Street East and west of the west boundary of Third Street West; providing for exemptions; providing for severability; and providing for an effective date.

Attorney Shuler asked for the map to be displayed. He discussed the map and where the boundaries of the overlay district are. He said the purpose of this ordinance is to give the Commissioners an

opportunity to address the issue of approximately 302 C-4 zoned lots either built or vacant in the business district. He presented a map which highlighted the developed C-4 lots that are residential units that have no commercial use because they are essentially rental units. He also pointed out the Villas of St. George and explained the property is within the overlay area and they are subject to the overlay requirements. Attorney Shuler said when the Board adopted the Overlay Ordinance in 2018 it included a prohibition disallowing residential uses on the first floor of any property within the business district. He reported there was some concern expressed by people with built units and vacant land that their property rights had been adversely impacted. Attorney Shuler explained the Board's direction was to bring back an amendment to the Overlay District to allow for residential uses on the first floor of the C-4 properties within the business district. He reported if the ordinance is adopted as written it would allow the Board to remove the prohibition against residential use on the first floor throughout the business district. Attorney Shuler advised the Board they are in a procedural position to take this action or something less. He stated they discussed grandfathering the C-4 residential units that have been developed and leaving the restriction for the undeveloped lots. Attorney Shuler said the Board has that authority but his recommendation and the recommendation from the County Planner is to adopt the ordinance as written and return all C-4 units back to what they were allowed to do prior to adoption of the overlay ordinance in 2018. He stated under the C-4 zoning the owner could have a commercial use on the bottom floor with a residential use on the top floor, pure residential or pure commercial. Attorney Shuler offered to answer any questions. Commissioner Parrish asked what right the county has to take away uses allowed by the C-4 zoning and de-value these properties and said that is what the property owners are concerned about. He explained it is not like the property owners are asking for C-4 because they are already zoned C-4. Commissioner Parrish said some of the property owners are willing to sell if people will pay what they paid for the lots but the county does not have the money to purchase the property as part of eminent domain. He explained there was an increased value when these lots were zoned to C-4 with residential uses. Commissioner Massey reported some of the property was C-4 when they bought the lots. Commissioner Parrish asked how many lots are in the overlay district and if any of the lots are still C-2. Attorney Shuler responded there are 224 C-2 zoned lots and 302 C-4 zoned lots. He estimated there are approximately 13 C-3 zoned lots. Attorney Shuler stated Commissioner Parrish is correct about how the C-4 zoning occurred in relation to real estate booms, real estate busts, and market forces. He reported most of these changes occurred before 2006. Commissioner Massey asked why all the lots are not C-4. Attorney Shuler explained different property owners wanted different uses and the transient rental market was where the money was. He pointed out the original skinny minis on the map and said they were the result of a lawsuit. Commissioner Massey commented he doesn't live there but does not like the skinny minis. Attorney Shuler explained the overlay district as it was originally written was imposing a design criteria that was developed in conjunction with the community and multiple public hearings. He stated if the Board adopts the ordinance as recommended all units would still be subject to the overlay requirements but that would be determined on a case by case basis by the County Planner as he receives development applications for units within the overlay district area. Commissioner Massey said he is with the people because it is their property. Chairman Lockley asked for public comment. He reminded everyone if they are speaking as an individual they have 3 minutes and if they are speaking for a group they are allowed 5 minutes.

Mr. Mason Bean, a resident of St. George Island, stated the Board has good intentions but they are also the gate keeper to protect the space. He said no one wants to take the C-4 away or their property

rights away but their concern is the strictly residential use that will cover up the rest of the commercial district. He stated in the future they will need a commercial area and they must have a vision and protect the integrity of the business district. Mr. Bean reported if they are already zoned C-4 then they have the right to keep that residential use or if they are stuck between homes. He said he would like to see a common drain field that commercial lots could use so an investor would not have to buy extra lots. Mr. Bean said the original C-2 zoning allowed restricted residential but they wanted it to look like a downtown and he hopes they can get back to that. He suggested keeping the C-4 zoning but striking the total residential wording.

Mr. Feifer questioned if the business district is the same as the St. George Island Overlay area. Attorney Shuler answered yes, and said it is generally known as the area from 3rd Street East to 3rd Street West going from the bay to the gulf. Mr. Feifer asked if all the structures in the St. George Island Overlay are on this map. Attorney Shuler answered yes and then clarified there is some land on the north side. He asked for the other map to be displayed that shows all the C-4 properties. He explained the boundaries of the Overlay District. Mr. Feifer questioned if there are other platted lots. Attorney Shuler replied no, all the platted lots are shown on the map.

Mr. John Cadriel, President of the St. George Island Business Association, said he is a member of the St. George Island Civic Club and owner of the Beach Pit Restaurant. He presented a handout to the Board. He explained they do not want to take away their personal rights to the property but they are interested in the best interest for the community in the business district. He reported the business district is a very important part of St. George Island. Mr. Cadriel described the view from the bridge as you are entering St. George Island and said the skinny minis obstruct the views of the beach. He said hopefully rows of these houses will not push the businesses out but they are concerned this will hurt the businesses. He asked to maintain what they have so additional businesses can come aboard. Mr. Cadriel said they understand there are issues with the existing landowners but they are not trying to take away their rights. He said they are in agreement that some type of grandfathering in these units could occur and give them an opportunity to rebuild if they are 51% or more damaged. He stated they are also okay with the possibility of existing lots between the skinny minis because that is already done and will not change anything for the future. Mr. Cadriel reported it is hard to bring new businesses into St. George Island because the rules and regulations are challenging. He discussed the challenges he faced with his restaurant. He suggested they may need to look at the ordinances to help new businesses come in to the community and buy the lots from individuals that are willing to sell.

Mrs. Julie Krantz, a resident and business owner on St. George Island, reported St. George Island has a different look and feel and they want to preserve it. She said she does not want a community that has walls of small houses and it may not happen immediately but it will happen eventually. She stated these property owners had the zoning in the past and they do not want to take away their rights. Mrs. Krantz reported the Island is not the same as 30 years ago and the zoning needs to change. She explained years ago when they bought a residential lot they gave people a business lot for free. She said they need to change zoning and accommodate growing businesses for the community and not one landowner. Mrs. Krantz stated they are not going to lose value in the property because the property will increase in value as the businesses increase in the district. She suggested they can come together with a solution to make the land more valuable based on bringing a business in rather than a residential home. She stated they can make this a nice walking community for the environment. She

reported they can work with the Board on how to bring in more businesses. She asked the Board to help preserve the Island.

Commissioner Massey said 4 of the Commissioners have been going to the Island for many years. He stated he has been going to the Island for over 50 years and is familiar with the Island.

Mr. Jim Morris, President of the St. George Island Civic Club, informed the Board he emailed his comments yesterday. He read his comments for the Board. He stated the Civic Club Board urges the Board to defeat the proposed ordinance that will remove the prohibition against single family residential development within the commercial district. Mr. Morris reported in previous Commission meetings several of the Board members indicated they wanted to protect the property rights of individuals who owned zoned property before the 2018 ordinance was enacted. He read excerpts from the previous Board minutes. He said their admirable and worthy sentiment will affectively destroy the 2018 overlay. Mr. Morris reported he provided the relevant section of the overlay for their convenience so they can follow their argument. He explained it appears this proposed ordinance protects the rights of people that want to build a rental house but not the property rights of people who want to build other things that were previously allowed before the 2018 overlay and he provided some examples.

Mr. Steven Rash, a property owner on St. George Island, said he owns about 17 commercial lots on St. George Island and most of them are zoned C-4. He explained in 2005 he bought some lots across from the Blue Parrot contingent upon them being rezoned C-4 and they were rezoned. He stated he wants to maintain the C-4 zoning on his lots with all the rights and privileges and he does not want to give up that option. He said he does not have intentions to build a residence but he does not know what the future will bring. Mr. Rash pointed out one of the biggest problems with attracting businesses is not having a central sewer system. He said complying with stormwater runoff, parking and setbacks also makes it difficult. He stated the best thing to support the business district is to put in a public central sewer system and he has supported that for a long time. He reported changing the zoning will not help businesses come in and might devalue the property. Mr. Rash said he will consult his attorney if this property is rezoned. He stated he loved the Island the way it was 30 years ago but the Island is changing all the time. He said the Island does need planning and the business district is very important but taking people's property rights is not the way to go about it.

Mrs. Pat O'Connell, a resident of St. George Island, stated if they cannot take away the C-4 then they cannot take away the other uses or the C-2 and they did not understand that the County Commission is powerless to make any changes to the previously made decisions and this is a big issue. She said they cannot impose constraints on some and not everyone. Mrs. O'Connell reported she has never seen the Commission consider doing the level of density they are proposing with over 400 residential properties in less than 70 acres. She stated the overlay that was done in 2018 was for a very big purpose which was to make the Island desirable going forward. She reported it was a good idea then and now and she asked the Board to defeat this amendment.

Ms. Angela Troy, a property owner on St. George Island, asked if the proposal is dealing with C-4 only or C-2 also. Attorney Shuler responded only C-4. She stated if people have C-2 and want C-4 then they have to go through the normal process. Ms. Troy explained they are only asking to remove the

prohibition on the C-4 and keep it the way it was before so they can still build on it because that is why they applied and had their property changed. She reported they are only asking to do what they were promised when they had their property changed.

Attorney Shuler stated now is the time for the Commissioners to discuss this matter or ask questions. He explained if they have no questions then the next step is to close the meeting of the LPA and reconvene at the County Commission. He reported at that time the Board would be in a position to make a decision to approve or deny the ordinance as written or consider some lesser option that has been discussed to limit the prohibition of residential use of the first floor to those units that have already been developed and constructed within the C-4 properties. Attorney Shuler asked if the Commissioners have any questions. Chairman Lockley said Commissioners change but that does not mean it automatically changes what the previous Commission voted for. He stated when the Board votes for something and it passes then he thought it became law. Attorney Shuler agreed this is correct and the ordinance stays in place until it is invalidated by the court or a new ordinance is adopted. He explained the Board does have the ability pursuant to law to amend the ordinance by a majority vote of the Board. Chairman Lockley said people want the Island to stay like it is but people buy property to invest. He stated it may stay the same for a long time or short time but it is not right for people not to be able to do what they intend to do within the law with their property. He said he will go with what the law says and if they had it before they cannot take it from them. Attorney Shuler Stated if the Board has no further discussion they can close the LPA meeting and reconvene the Board of County Commissioners meeting and conduct a final public hearing on the ordinance. He said the Board will then take public comment and then vote. Commissioner Boldt asked if there are certain residences that are purely residential and they are thinking about leaving them to be purely residential and have no confusion that they are anything but residential. He questioned if there is just an option for that to give them relief. Attorney Shuler answered yes, the ordinance as written covers all the C-4 properties in the overlay district but the Board has the authority to carve out a provision that says only existing C-4 built residential units would be exempted from the overlay ordinance prohibition. He explained all the other overlay design requirements will still apply but they would still be allowed to rebuild their units and have residential on the first and second floor if they chose to if the Board wanted to limit the effect of the ordinance to just those build C-4 residential units. Chairman Lockley said they want to tell other people about their property rights. Chairman Lockley closed the meeting of the LPA.

Chairman Lockley reconvened the meeting of the Board of County Commissioners.

12. Board of County Commissioners 11:05 AM (or as soon thereafter as is possible)

(This is a continuation of a public hearing held on 1/21/20 tabled to 3/3/20 at 11:05 a.m.) An ordinance of Franklin County, Florida, amending the St. George Island Corridor Overlay District Ordinance 2018-02 by removing the prohibition against single family residential uses on the first floor for property located within a 2,100-foot radius of the center point of the intersection of Franklin Boulevard and Gulf Beach Drive, St. George Island, Florida, as described in plat book 2, page 7, Franklin County, Florida, excluding the area east of east boundary of Third Street East and west of the west boundary of Third Street West; providing for exemptions; providing for severability; and providing for an effective date.

Attorney Shuler stated this is the second and final public hearing. He read the caption of the ordinance for the Board. Chairman Lockley asked for public comment.

Mr. Rash said he owns 17 lots and the Blue Parrot Restaurant on St. George Island. He explained he does not plan on putting up any residences especially in the business district but his plan in the future would be some kind of mixed use with a business downstairs and a residence upstairs. Mr. Rash stated right now the lots are zoned C-4 and they just had a Category 5 hurricane brush by so something could happen. He explained he wants the option in the future that he could sell his property with the C-4 residential component. Mr. Rash stated that adds value and options to his property and he is not going to give that up unless there is a legal ground for the county to do that. He suggested the county not grant any more C-4. Mr. Rash said his lots are C-4 and he wants them to stay C-4.

Ms. Krantz stated there is no guarantee they will not build residential homes and they are asking for a guarantee. She reported the Board has the overlay that will prevent it and they can vote this down and there will never be another residential unit built there. She suggested the Board grandfather in the units that are existing. Ms. Krantz stated they do not need 40 houses and if the Board passed this ordinance then they can build residential houses. She asked the Board to preserve what they have do and not do this for a few people. She said the Board has the right to address the zoning. Ms. Krantz reported one of the Board's jobs is to preserve the environment and the county and that is what they are asking for. She asked the Board not to allow 400 houses in the business district because it will be devastating.

Ms. Troy explained she has not built a home on her property and her property is surrounded by homes. She stated if they take away her rights to this property then she cannot build anything on her property. Ms. Troy reported she paid \$250,000 for her property and someone will have to pay her for the property because she have no use of her property. She said there are a lot of other C-4 property owners that will feel the same way. Ms. Troy said they are simply asking to have C-4 just like it was and to remove this prohibition and deal with the C-2's like they are or anyone else. She stated it is not fair to take away their right because some of them will not be able to build on their property. Mr. Cadriel reported he has plans on opening future businesses possibly on St. George Island. He stated the community cannot thrive without the business district. He explained no one will want to buy homes when there are no businesses to go to. He discussed the parking issues and what will happen if there are 400 additional homes. He said people will not want to rent the homes if there are no businesses to provide services. Mr. Cadriel stated in the future this will hurt the aesthetics of the Island.

Ms. Patty Crawford, a resident of St. George Island, questioned where they are going to build 400 houses in the business district when it is already built. She said they may not be able to build a house on a single lot anymore. She reported there are different requirements and the skinny minis have several lots as drain fields and those lots are not buildable. Ms. Crawford stated they need to do the right thing by leaving those that are already built and have residential alone because that is how they were built. She suggested the Board do another overlay if they are not happy with this one. She reported there are not 400 buildable lots and there will not be 400 homes. She requested the Board do away with the overlay and put them back the way they were when they bought the property.

Mrs. O'Connell reported Attorney Shuler said there are nearly 300 C-4 vacant lots that could be built as houses. She said there are already 100 houses counting the skinny minis. She explained that is why she said 400 houses but even if it is 300 houses in 70 acres that is more density than they have ever allowed. She stated this part of the county is a major economic driver and businesses bring in more money to the county than the rental property does. She explained it does not make sense to carve out of the ordinance and exempt C-4 and not exempt portions of C-2. Mrs. O'Connell said if the property rights are more important if it is a rental home than a business then they need to help them understand.

Mr. Jim Waddell, Inovia Consulting Group, explained regardless of whether residential is allowed on the first floor or not they still have the problems with parking, stormwater, sewer, green space and the things that have been in their code for years. He said if the Board does not take favorable action today they are going to get what they do not want which is one person who buys multiple lots, creates a unity of title and builds a single large building. He reported his client that lives at 112 Gorrie Drive has a private residence and wants the ability to rebuild if their home is destroyed under the conditions in the C-4 district the same as it existed when they bought it. HE stated this is the same situation with some other people.

Attorney Shuler reported at this point the Board is in a procedural position to discuss and make a decision to approve or reject the ordinance as written. Attorney Shuler stated his recommendation and Mr. Curenton's recommendation is to adopt the ordinance as written which would remove the prohibition of residential uses on the first floor throughout the entire business district for approximately 302 properties of which 50 units have already been constructed. He explained the Board has the authority to do some lesser amount of lots or to grandfather the lots. Commissioner Boldt asked for the map to be displayed again. Mr. Moron displayed the map. Commissioner Jones reported there has been no discussion today about how dense this is and that these are 25 ft. lots which is substantive and will not change. He said if they are looking at 300 residences or businesses it is still the same number of lots. Commissioner Jones stated he is caught in the middle because he understands what is going on but there are people living in properties that cannot get insurance because of where they are. He said they definitely need to take action today and try to strike a balance. Commissioner Boldt asked if they can give relief to the one section he identified on the map so they have purely residential uses. Commissioner Jones pointed out there are people on Gorrie Drive North and South and Gunn Street that have C-4 properties with houses around them and they are telling them they have to put a business in the middle of the houses and telling all the businesses you will not put houses where they are and that is an issue. Chairman Lockley stated when they bought the lots all of the businesses and houses were there and they knew the zoning so this is not new. He explained people check out everything before they buy the lots. Commissioner Boldt asked if any other counties had this dilemma. Chairman Lockley said they went by the book. He stated the area is going to grow and has changed from what it was years ago. Commissioner Parrish asked what the procedure is if someone wants to rezone their property. He questioned if they file an application to rezone. Attorney Shuler answered yes. Commissioner Parrish inquired how many people out of the 302 lots with C-4 zoning have asked to be rezoned to something else. Attorney Shuler answered none. Commissioner Parrish asked how the county can take away the C-4 zoning and rezone their property whether they request it or not. Attorney Shuler replied they are not rezoning but did change some of the allowable uses within an overlay district for a certain geographical area. He explained he is trying

not to get into the legal arguments that can be properly raised to defend the county's actions but is responding to a policy issue. He reported the Board directed him to draft an ordinance that they could consider in a public setting so they could have an opportunity to make a policy decision. He explained this ordinance was drafted to respond to a policy issue that was brought to the Board by their constituents and the public hearing was scheduled. Commissioner Parrish stated he does not want someone to tell him they are rezoning his property. He explained this Board did not grant all the C-4 zoning requests but they have to deal with it. Chairman Lockley said he was here for some of it. Commissioner Parrish stated he was on Planning & Zoning when it was done. He pointed out there are still 270 lots that are C-4 and nothing has been done with them in the last 15-18 years. He explained they have a commercial use, residential use or mixed use and nothing in all those years has been done with the lots. Commissioner Parrish reported they have not built houses so that must not be what they want to do. Commissioner Boldt asked if they can allow the individual property owners to come in for a rezoning. Attorney Shuler explained rezoning is not possible to solve this issue. He explained the issue in the ordinance is limited to removing the prohibition to residential use on the first floor of C-4 zoned properties. He reported if the ordinance stays in affect as it is written the Board would not have the authority to grant a variance or special exception. Attorney Shuler stated the Board would have to follow the law because one of their duties is to protect and defend the constitution and the laws of Florida including local ordinances. Chairman Lockley asked about the property value drop on these properties. Commissioner Parrish said they do not know how much the property will be devalued because they can do a residence, mixed use or straight commercial. Commissioner Massey stated they want to stop the residences from being on top of the businesses and they do not want the skinny minis. Attorney Shuler said that precedent for skinny minis was set almost 30 years ago and he pointed out the original units on the map. Chairman Lockley stated they are going to be back in court if they do not handle this right. Commissioner Jones asked if one of these options lays out grandfathering around Gorrie Drive and Gunn Street and going forward. Attorney Shuler explained if the Board does not approve or deny the ordinance as written then they have the authority to grandfather in the constructed C-4 residential units and there are approximately 50 based on the map Mr. Curenton provided. Commissioner Jones stated it is not for any unconstructed properties. Attorney Shuler clarified the ordinance as written is for all 302 C-4 zoned units whether built or unbuilt. He said this is how the ordinance is presented and recommended and it would essentially reset all the C-4 zoned properties to the various development rights they had prior to Ordinance #2018-02 the St. George Island Overlay District Ordinance. Commissioner Jones said he is trying to avoid any more unintended consequences with the overlay. He explained looking at the map they already have residences north and south of Gorrie Drive to the west, south of Gorrie Drive to the east and north of Gunn Street. He questioned if one of their options addresses these properties. Attorney Shuler questioned if he means to just exempt the as-built units. Commissioner Jones stated no just to exempt the areas he just described. He asked if they have to do all or nothing. Attorney Shuler discussed the areas on the map. He stated he does not recommend separating out all the units as suggested by Commissioner Jones. He reported there is an argument to be made for grandfathering the as-built units but he is not seeing an argument for allowing some of the vacant lots to develop under the old C-4 and some vacant lots not. He stated they could possibly make an argument for water front or water view lots being different from interior lots but they are also talking about another area that does not qualify for the same argument. Attorney Shuler reported if some of the property owners came to the Board and said if they have to rebuild a destroyed structure or have new construction under the new ordinance some of them would not be able to meet the current parking and other requirements and

that is part of what lead to this discussion. Commissioner Parrish asked if someone has a mixed use property does the business have to be elevated. Attorney Shuler replied yes because they have to meet FEMA requirements. Commissioner Parrish said there will no more building on the ground but the amount they have to be elevated depends on FEMA requirements. Attorney Shuler reported the determination on FEMA requirements would have to be made on a case by case basis. Commissioner Massey said in relation to the FEMA requirements the county can drop the points level because they are the only ones in Florida that have 10 points. He explained they could go to 1 point and they could rebuild at 20% because that is what is holding up the rebuilding. Attorney Shuler stated that is a question for Mrs. Hamm-Kelly. Commissioner Massey reported there are homes in his district that are 60% damaged and they cannot rebuild due to the point rate. Commissioner Parrish stated when they reduce the point level they are raising the insurance costs. Commissioner Massey said there are not that many people in the county that have flood insurance. Attorney Shuler explained Mrs. Hamm-Kelly would need to answer this but some people go higher than the minimum elevation to get a better discount on their flood insurance. He reported it has to do with the extent to which you are in compliance with FEMA requirements. Commissioner Jones stated he is not sure how the Board wants to handle this but he knows there are current residences there that they cannot overlook because as an unintended consequence the overlay created a problem for them. He reported there are also neighbors in between some of these that have C-4 property so if you just grandfather you are telling the rest it does not matter. He asked what the Board thinks about this situation. The Board discussed same. Commissioner Massey said he wants to fix the problem. **Commissioner Parrish made a motion to adopt Option 1 which allows the C-4 zoned property owners to maintain that property and if this passes they do not allow any further C-4 zoning within the commercial district on St. George Island within the overlay district.** Attorney Shuler questioned if the C-4 zoning prohibition is part of this motion to adopt the ordinance as written because he does not think they can do that in this public setting because they have not advertised. **Commissioner Parrish withdrew his motion. On motion by Commissioner Parrish, seconded by Commissioner Massey, and by the following vote of the Board present, it was agreed to approve Option 1 to allow the C-4 lots that were zoned C-4 before the Overlay to maintain their zoning category and adopt the Ordinance as written:**

AYE: PARRISH, MASSEY, LOCKLEY, BOLDT

NAY: JONES

The meeting recessed at 12:40 p.m.

The meeting reconvened at 12:47 p.m.

Public Hearings II (11:20 AM)

13. An ordinance of Franklin County, Florida, prohibiting the parking or leaving of motor vehicles, trailers, or recreational vehicle type units on public property in unincorporated Franklin County overnight; providing for towing at owner's expense; providing for enforcement by the sheriff; providing for penalties, providing for repeal; providing for severability; providing for an effective date.

Attorney Shuler said this is the first and only public hearing they will have to consider this ordinance and they are in a procedural position to make a decision today. He read the caption of the ordinance. Attorney Shuler explained this ordinance applies to all public property within unincorporated Franklin County which is designated as a public park, boat ramp or fishing pier included but not limited to and he listed the public facilities ranging from Apalachicola on the west to Alligator Point on the east. He highlighted the definitions in the ordinance. He requested guidance from the Board on the definition of overnight. He explained it was identified in the ordinance as the time period beginning daily at 9:00 p.m. and ending at 5:00 a.m. eastern time the next day. Attorney Shuler reported the penalty in addition to towing is a non-criminal violation. He explained if on the second violation there is injury to a person or property then it would become a 2nd degree criminal misdemeanor which is punishable by up to 60 days in jail and up to a \$500 fine. Attorney Shuler said in relation to the towing provision the Board would need to put signage up at each facility with the name of the company that will be towing the vehicle and how to contact them to get the vehicle back. Commissioner Jones commented they will need a sign explaining about the ordinance but he would like a small sign for who is doing the towing so they can just change the small sign if the company changes. Commissioner Parrish said when it says trailers and motor vehicles does it exclude fishermen that might be fishing or floundering at night. Attorney Shuler stated it does not. Commissioner Parrish reported that needs to be included in the ordinance. He reported his concern is motor homes, trailers, and campers staying overnight. He said they do not want overnight camping but do not want to limit the use of the boat ramp for the people floundering or fishing and making a living. Commissioner Boldt stated they do not want people sleeping in their cars either. Commissioner Parrish reported he is fine with all of it except that part. Attorney Shuler said this is the issue they ran into with the old parking ordinance because it did contain this type of exception. He reported on the enforcement side the problem they ran into was everyone claimed to be floundering or fishing. Attorney Shuler agreed he could include the exception but it created some problems in the past. He said he understands with the fishing heritage this is something they need to take into consideration. Commissioner Parrish suggested Attorney Shuler redraft the ordinance and come back. **Commissioner Parrish made a motion to table this matter until the ordinance is redrafted and brought back for consideration to the Board. Commissioner Jones seconded the motion.** Commissioner Jones stated they need to make sure when the ordinance is finished there is a clear intent for anyone that is enforcing it. Commissioner Parrish reported they also need to prevent the construction of fires on public grounds. He explained if it is not included in the ordinance then the Sheriff cannot enforce it. Attorney Shuler reported he can add the prohibition but the next thing is the commercial seafood industry will want a warming fire. Commissioners Parrish stated no fire in public parks. Commissioner Jones agreed. Chairman Lockley asked for public comment. Ms. Troy said she owns Island Outfitters and she has a customer that called about floundering out of kayaks. She explained they do not have a trailer and place the kayaks in the back of their trucks. She stated they want to make sure they will be able to flounder at night. She said in large places they mark tires and then check them again to determine how long someone is there. Commissioner Jones said when they come back if they have a clear intent about camping in public places then that will alleviate the problems. Chairman Lockley stated they are trying to get rid of the loitering. Commissioner Parrish reported people have also been stealing the gas out of the cars of the people out fishing or floundering. **Commissioner Parrish amended his motion to table this public hearing until April 7, 2020 at 11:00 a.m. Commissioner Jones amended the second.** Attorney Shuler said he will re-advertise. **Motion carried; 5-0.**

The meeting recessed at 1:00 p.m.

The meeting reconvened at 1:37 p.m.

County Attorney – Michael Shuler – Report

Attorney Shuler did not have a report.

Public Hearing III (1:30 PM)

27. *(This is a continuation of the public hearing held on February 18, 2020 tabled to 3/3/20 at 1:30 p.m.)* Consideration of a request for a Land Use change from Residential to Commercial of a 5.88 acre parcel lying in Section 7, Township 7 South, Range 3 West, Lanark, Franklin County, Florida. Request submitted by Clayton Studstill, agent for Timothy Saunders and Christina Saunders, applicant.

Board Action: Approve, Table or Deny

Attorney Shuler explained this is a continuation of a prior public hearing and the Board tabled the public hearing to this date, time and place. He reported the continuation of the public hearing was advertised in the newspaper. He stated the Board was deliberating after hearing all the information that was provided on what action to take on the land use change and rezoning. Attorney Shuler explained the Board would first consider the land use change and then the rezoning. Mrs. Ham-Kelly read the caption of the ordinance. Attorney Shuler reported the Board has already had the first public hearing and took public comment at that time. He stated it is the discretion of the Board if they want to take public comment. Chairman Lockley said it is up to the Board. Commissioner Boldt stated he welcomes public comment. Chairman Lockley asked for public comment. He explained an individual will be allowed to speak for 3 minutes and someone representing a group or entity will be allowed to speak for 5 minutes.

Mr. Mike McLoad, a resident of Lanark Village, reviewed his objections from the last hearing. He said they never imagined a Dollar Store across the street from their house when they invested the money and retired to live here. He provided quotes from the Commissioners from prior meetings. He stated the property owners have a right to object to this proposal. Mr. McLoad reported they have incorrectly identified a manhole on this property that is part of an old sewage and drainage pipe system from Camp Gordon Johnston. He stated the applicant had testimony from a land use expert addressing statistics, parameters and guidelines but the residents are not statistics and do not live their lives based on parameters and guidelines.

Mr. Mark Hopkins, a resident of Lanark Village, said they do not have a right to develop as stated at the last meeting if it interferes with neighbor's lives or requires a change to the zoning map or land use regulations. He reported the approval of this request will lead to a strip mall along Highway 98 over the next few years and will change the property east of his property. He stated this will lead to a new definition for St. James and Lanark. Mr. Hopkins said development of land inconsistent with land use planning other than some underlying reason changes make irrelevant all the work done in the past by their staff to present a vision of the future development of Franklin County. He explained the vision

does not anticipate an urban center east of Putnal Street. Mr. Hopkins asked the Board to support the existing development plan and staff and keep commercial development out of his sight.

Ms. Elizabeth Baldwin, a property owner in Lanark Village, questioned the impact of this proposal on her property values and said she would not have bought her property if a Dollar General was in this location. She reported the closer the store is to residential property the more negative effect it has. She said what tax revenue this business bring in if they property values go down. Ms. Baldwin reported they will bring in 8 jobs but only 4 full time positions at minimum wage with no benefits. She explained people say they need this store to walk to but it would be very dangerous to walk to the store as there is no sidewalk along this route. Ms. Baldwin read her letter for the Board. She stated they looked at the zoning plan before they bought their property and it did not say anything about commercial property and inquired if the plan had changed. She questioned if this store will open cascade zoning and asked what their plan is for Lanark Village. She said she does not want the area to look like Crawfordville with residential and commercial buildings mixed all along Highway 319. She asked if they should have a plan before they approve anything. She requested the Board keep this a residential area. She said if things are going to change then maybe they can make an effort to protect what they have and have development that is in harmony with nature such as sign restrictions. She reported they can preserve what they have and plan for the future.

Ms. Deborah Scanlin, a resident of Lanark Village, stated they said there is no problem with wildlife but there is a bear crossing sign near this property. She reported the closest eagle's nest is about 2-3 miles to the west. She stated they have abundant aquatic life that could be affected by this. Ms. Scanlin explained DEP is studying the grassland right now to see if there has been any damage. She discussed a species of bat that has been seen in this area. She explained Summer Camp development planned on putting in a development that will include upscale shops. Ms. Scanlin reported they are already clearing land for a Rocky's gas station and convenience store and she has heard there will be a grocery store.

Mr. Stan Butterfield, a resident of 147 Hinton Street, stated the Board is here to serve the people and there are 3 parties involved in this discussion the seller, developer and over 100 people that have signed a petition against the proposal. He asked for the Board to do what is right for the community and not just a certain few.

Mr. Herbert Napora, a resident of Lanark Village, reported they chose this area because of the residential atmosphere. He informed the Board he is active in the American Legion and Chillis Hall and could not find one person for this development.

Mr. Bill Mickler, a resident of Lanark Village, said he is across from the proposed change and they chose their property because of the peaceful setting. He stated they cannot imagine all the wildlife and fish they see. He reported they knew the property across the street was grandfathered commercial. Mr. Mickler stated he presented petitions to the Planning & Zoning Office and presented a copy for the Board file. He apologized about public comment and having no representative. He stated they tried to get the public records to hire an attorney but they could not get the records. Mr. Mickler explained the Board is considering a commercial development in the middle of a neighborhood and they need to listen to the people in the neighborhood who spoke against it.

Mr. Jason B. Putnal, owner of the Lanark/Putnal Station property, stated his grandfather never had any intention of going forward with a business that would change the community in any way and since he inherited the property he does not have any intention to change it either. He said this is just the start and then they will have a strip mall. He asked the Board to listen to the people because no one is for this proposal.

Ms. Wanda Rose, a resident 159 Rose Street, reported people come to this area because of the natural beauty and lack of amenities. She stated she is not against growth but wants a planned, controlled growth that does not destroy the area. Ms. Rose said the only Commissioner that has reviewed the area is Commissioner Boldt. She reported there are 328 acres of vacant land from Putnal/Lanark Station to St. James but does not all front Highway 98. She explained if the change is allowed it will open the door to more commercial along the highway. She stated they already have a new Dollar Store to the west. Ms. Rose reported in the 328 acres there is are 291 acres that are being marketed as a residential area and that is where the commercial needs to be. She stated they want planned growth and development to fit the natural environment.

Ms. Joan Matey, a resident of Lanark Village, discussed the mission of Dollar General in relation to pushing their stores. She reported she cannot understand from a business plan how this works when they are 4 miles from another store. She explained she is more in favor of the Summer Camp idea. She said this is not a good idea and they do not want it. She reported there is a curve before this area and traffic in this area. Ms. Matey stated it would be nice if the county had a vision for the area. She reported Commissioner Boldt had a good suggestion. Commissioner Boldt said design compatibility.

Ms. Debbie Wharton, a resident of 52-5 Parker, stated she came here because the area is pristine and she admires what Apalachicola has done with the community. She said they want the vision for Lanark Village, Gulf Terrance and Alligator Point. She stated they do not want to regret later that they did not have a vision and develop it. Ms. Wharton reported they do not need a Dollar General. She asked the Board to consider the future of this area.

Ms. Barbara McBride, a resident of Illinois Street, said the pristine beauty drew her to the area. She discussed the number of Dollar Generals in the area. She stated they would be horrified at the prospect of a land use change and rezoning to allow a Dollar Store when there are so many in the area. She reported they do not want a Dollar General in Lanark Village.

Mr. Harold Arnold, a resident of 2576 Florida Avenue, said he is approximately 500 ft. west of the proposed Dollar Store. He stated he does not like the idea of a Dollar Store that close and it will ruin the value of their property. He reported this store will cause a problem with looks and the environment.

Mr. Hugh Bailey, a resident of Lanark Village, stated the people have a voice and an opinion and it matters. He said they also vote.

Attorney Shuler reported since the Board has taken additional public comment then they should give the applicant the opportunity to make an additional presentation.

Mr. Mark Davis, Teramore Development, stated the Land Development Code and Comprehensive Plan are not something that is set in stone. He explained in every code including Franklin County's code there is a method, means and standards for allowing a land use change and change in the Comprehensive Plan change. He reported the Board has heard testimony from the experts that their application meets all the methods, means and criteria in the county's code for requesting a land use change and Comprehensive Plan change. Mr. Davis explained the only way they can reject the application in a quasi judicial setting is to find within the code and Comprehensive Plan just cause. He went on to say if their request is consistent with the Land Development Code and the method and means of changing the Code and land use and Comprehensive Plan changes as defined in the Code unless they have a just cause found within the Code they cannot reject their request. Mr. Davis said they need to make sure they understand the legal standard. He explained if they do not like how the Code can be changed then the solution is to change the Code. Important to understand legal standard.

Ms. Alara Mills Gutcher, certified Land Use Planner, said in relation to spot zoning the parcel they are asking to be amended to the commercial category is immediately adjacent to a commercial category on the future land use map. She explained spot zoning also has to do with compatibility and how the development will interact with the existing development. She reported the Comprehensive Plan has items listed to help promote compatibility including buffering, setbacks and other types of things they can do with their development site to help create a compatible use adjacent to the residential. She stated these items are listed in the Code so with the development potential of the site they will look to these items and either use what is there or most likely increase what the requirements are so they will have a bigger buffer and bigger setback from the residential areas next door. She explained this is not a big development but a neighborhood serving use and commonly located within a residential area to promote less vehicle miles traveled, more pedestrian activity or bicycle activity to get to the daily needs for the surrounding residents. She offered to answer any questions. Commissioner Boldt reported they are talking about a land use change from residential to commercial for a 5.88 acre site but the application says they are siting 4.63 acres. He asked what the other property going to be used for. Attorney Shuler clarified the time for public comment is 3 minutes for an individual and 5 minutes if they represent a group. He explained an applicant under the county's adopted quasi judicial hearing procedures gets 20 minutes. He reported if there was a party objector they would also receive 20 minutes in opposition. Ms. Mills said the property identification is also associates with a parcel on the south side of Highway 98 and that is not part of this request. She reported they are only requesting the portion that is on the north side of Highway 98. Commissioner Boldt explained the ordinance is for the two pieces of land that total 5.88 acres. Ms. Mills said she has not been the ordinance. Attorney Shuler presented the map and explained the area they are requesting the change on. Ms. Mills stated the property on the south side is not part of their request. She pointed out the parcels that are not included in the request. A map was displayed for the Board. Ms. Mills said the parcel identification number is 7.4 acres and they are only asking for a change to 4.63 acres. Commissioner Parrish said it is advertised for 5.88 acres. Attorney Shuler responded 5.88 acres more or less. Commissioner Parrish stated Ms. Mills said 4.63 but the total rezoning was for 5.88 acres from residential to C-4 commercial.

Mr. Chris West, Teramore Development, said the difference is the area in the back and there is an easement across that property and their intention is to quit claim that property to the neighbors that are using it. Commissioner Boldt asked how they are going to manage the dirt road behind the parcel and what it implies with relation to traffic egress and ingress. Ms. Mills replied they are not planning to use the dirt road as part of the development. Commissioner Jones clarified all the property is a little over 7 acres, the property north of the road is almost 6 acres and if they quit claim the top parcel then

they are left with 4.63 acres. Ms. Mills answered that is correct. Mr. Joseph Alday, Alday & Howell Engineering, explained at the last meeting Commissioner Boldt brought up a drainage structure on the west of the property and when he described it they assumed it was part of the DOT drainage system. He said after the meeting he went to the site day and looked at the structure and it is not associated with the DOT system. He stated it was not picked up on the original survey but they have had their crew go back out and include it. Mr. Alday reported it looks like an abandoned storm drain or sewer system that is no longer in service. Commissioner Boldt discussed the ditch on the property and the location of the business on the property next door that used petroleum products. He questioned if they have done any core borings that proves the soil on their proposed application is sanitized and has no petroleum in it. Mr. West reported they had a report done by Universal Engineering and he presented a copy to Commissioner Boldt. He explained there were 3 petroleum tanks on the Putnal property that were removed in the 1980's and remediation was done through the Department of Environmental Protection and they cleaned the site. He reported the Putnal property received a No Further Action (NFA) letter from DEP that the site was clean. Mr. West said that is part of the work their people did to determine the site was clean and it is included on Page 7 of the report. He reported Page 1 talks about their site being clean. Ms. Mills stated the report does say the ditch is on the eastern site of the property but that is a scrivener's error and the ditch is on the western site of the property. Commissioner Boldt asked if the FWC footnote is wrong. Ms. Mills stated the footnote is correct. Mr. West thanked the Board for their time. He stated they have discussed this at several meetings and Commissioner Boldt has been involved from the outset of the project. He stated they came out and heard the residents and addressed a lot of the concerns. Mr. West said they do not have an expert present but in relation to property values they have had property appraisers say residential values have no effect on commercial values and vice versa. He reported the value of their property will go up when they put an \$800,000-\$1,000,000 building on it. Mr. West stated it may raise the value of the Putnal property because it is zoned commercial but it will not have any effect on the residential properties.

Attorney Shuler said typically under the policy there would be a 20 minutes presentation from the applicant and a 20 minutes presentation from the party objector followed by questions from the Commissioners. Attorney Shuler explained the presentation and questions blended together and he wants to know if Mr. Davis has anything else from a testimonial standpoint that needs to be presented because the Board took up some of his time with questions. Mr. Davis said they do not have anything further. Attorney Shuler explained this will close out the presentation and public comment and it is time for the Board to deliberate and ask questions. Commissioner Parrish stated when people buy property zoned a certain way they have the right to utilize the property and they are entitled to ask for a different zoning class but is that guaranteed. He went on to say that was stated by the presenters for the Dollar Store. Attorney Shuler said he believes they meant there was a shifting of burdens of proof from the applicant to the Board. He stated he does not believe they were representing that if they asked for a change they were guaranteed a change. He reported they can ask but it is not guaranteed. Commissioner Parrish agreed and said he served on Planning & Zoning Commission before he was a County Commission and he never heard of a zoning change being guaranteed. He stated they are guaranteed what they got when they bought the property. Attorney Shuler reported as long as they can meet all the criteria when they submit a development application they are allowed to use the property as it is zoned when they purchased it. Attorney Shuler explained the applicant's attorney was saying they make decisions in this hearing based on the evidence and when the evidence shows it is

compatible with the Land Development Code then the burden shifts from the applicant to the county to show why it is not compatible. He reported it is definitely not guaranteed just because you ask for it. Commissioner Parrish asked if the adjoining landowners were sent certified letters about whether they opposed this change or not. Mrs. Ham-Kelly stated everyone that adjoining this property was sent a certified letter. Commissioner Parrish reported that is standard procedure. He asked if all those people objected to this property being rezoned for the dollar store. Mrs. Ham-Kelly stated she had several oppositions through petitions and letters. Commissioner Boldt asked if they have any evidence that the applicant sent a certified registered insured letter to the Putnal family saying Dollar General had an interest in purchasing their property. Mr. West reported they did not send a certified letter but they do have in writing where their realtor discussed with a local realtor and she represented that she did speak with them. Commissioner Boldt made a motion to deny the application relative to the land use change from residential to commercial. Commissioner Massey seconded the motion. Commissioner Boldt said there are many unknowns but they have the Franklin County Comprehensive Land Use Plan which is a standard of practice. He stated breaching that document cascades more unknown. Commissioner Boldt said the will of the people is also known. He stated they have had 2 public hearings and the people say no. He reported he is here to represent the people and that is why he made this motion. Commissioner Parrish stated he does not fully understand why the people do not want a dollar store in their community but they have spoken and he is going with the people. Chairman Lockley said he is different because everyone does not have a car and no one has said they will give a ride to the store 5 miles away. **The motion passed by the following vote of the Board:**

AYE: BOLDT, MASSEY, JONES, PARRISH

NAY: LOCKLEY

The meeting recessed at 2:46 p.m.

The meeting reconvened at 2:55 p.m.

28. *(This is a continuation of the public hearing held on February 18, 2020 tabled to 3/3/20 at 1:30 p.m.)* Consideration of a request to Re-Zone a 5.88 acre parcel from R-1 Single Family Residential to C-4 Mixed Use Residential on property lying in Section 7, Township 7 South, Range 3 West, Lanark, Franklin County, Florida. Request submitted by Clayton Studstill, agent for Timothy Saunders and Christina Saunders, applicant.

Board Action: Approve, Table or Deny

Attorney Shuler said they concluded the ordinance for the land use change but they need to take action on the request for the rezoning. **On motion by Commissioner Boldt, seconded by Commissioner Massey, and by the following vote of the Board present, it was agreed to deny the rezoning request:**

AYE: BOLDT, MASSEY, JONES, PARRISH

NAY: LOCKLEY

Commissioner Boldt publicly thanked the professionalism of the applicant's team. He thanked everyone who discussed this with him and for coming out to the meetings and providing the input they needed.

Mr. Moron stated Mrs. Griffith has a couple of manual checks that were not on the bill list and need Board approval. Mrs. Griffith explained it came to their attention that 2 of the invoices were missed. She requested the Board cut manual checks for vendor-Mr. Rodney Brown in the amount of \$1,900 for work completed at the County Health Department and another manual check for an Armory refund deposit in the amount of \$150 to Mrs. Jackie Miller. **On motion by Commissioner Parrish, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to issue the manual checks for Mr. Rodney Brown in the amount of \$1,900 and Mrs. Jackie Miller in the amount of \$150.**

Commissioners' Comments

Commissioner Jones reminded everyone that the St. George Island Chili Cook Off is this weekend.

Commissioner Parrish stated he got an email from a gentleman about an issue at the airport with the weather station that needs to be addressed. He said there is no official reporting of the temperature on television. Mr. Moron stated he contacted the Airport Manager and Ms. Tara , has emailed and they are working on it.

Adjournment

There being no further business to come before the Board the meeting was adjourned at 2:59 p.m.

Noah Lockley - Chairman

Attest:

Marcia M. Johnson - Clerk of Courts